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**UNITED STATES PATENT AND TRADEMARK OFFICE**

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UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

February 26, 2004

CONLEY ROSE, P.C.  
P.O. BOX 3267  
HOUSTON, TX 77253-3267  
AA

Dear Sir/Madam,

This is to deny your refund request in the amount of \$258.00, for patent/serial number 10775288.

you had 9 independent claims minus the 3 allowed.  $6 \times 86 = 516.00$  At first they charged you 258.00 then realized you were large entity and charged another 258.00

Sincerely,

ELEANOR KURTZ  
Technical Center Others  
Refund Branch, Office of Finance



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

February 26, 2004

Sculllly, Scott, Murphy & Presser  
400 Garden City Plaza  
Garden City, New York 11530

Dear Ms Hagameyer

We regret to inform you that your refund request dated 08/25/03 for the amount of \$864.00, application number 09/908805 cannot be granted for the reason specified below.

- ☐ Refund based upon subsequent establishment of small entity status: A refund based on establishment of small entity status may be granted only if a written assertion of entitlement to small entity status under 37 CFR 1.27 and a request for refund of the excess amount are filed within three months of payment and of the fee (37 CFR 1.28). Three-month period for establishing small entity status and requesting a refund has expired.
- ☐ Refund of application filing or petition fee: Filing fees paid for an application that is entitled to a filing date and required petition fees are not fees paid by mistake or in excess. If an application is **not** entitled to a filing date and proceedings are terminated on the application, any filing fees (less the \$130 handling fee) will be refunded (37 CFR 1.53(e)(3)).
- ☐ Refund of overpayment: There was no overpayment made by applicant. All fees were calculated and assessed properly. **\*\*See below\*\***
- ☐ The payment for which the refund is requested has not been applied to the application. The payment check was returned to applicant for the following reason:
  - ☐ Not filled out properly. (See attached copy of notice.)
  - ☐ Not made payable in U.S. funds.
  - ☐ No explanation was given as to purpose.
  - ☐ Payment was previously received and applied by Office.
  - ☐ Check was returned by bank for insufficient funds.

**\*\*Any request for reconsideration or review of this decision must be by way of a petition filed within two months of this decision, which decision must set forth with particularity why a refund is due (see 37 CFR 1.181(b) and (f)).**



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This is the second denial I have sent on this Serial Number. This refund was deposited in your deposit account on November 28, 2001. See attached statement.

If there are any further questions, please contact me at (703) 308-3642  
Sincerely,

Eleanor F. Kurtz  
Office of Initial Patent Examination